

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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**CELESTE WILLIAMS, LAUREN CRUZ,
EMANUEL O'NEALE, BRANDON
STURMAN, LATRESHA HALL,
LAKEISHA MITCHELL, CHRISTINE
BORBELY, JULIE GARIBALDI and
JANINE APONTE, on behalf of themselves
and others similarly situated,**

INDEX NO: 07cv3978-LAP

Plaintiffs,

v.

**TWENTY ONES INCORPORATED d/b/a
THE 40/40 CLUB, SHAWN CARTER p/k/a
JAY-Z, JUAN PEREZ and DESIREE
GONZALES,**

Defendants.

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DECLARATION OF NADIA MILLER

I, Nadia Miller, under penalty of perjury, affirm as follows:

1. I am a New York resident and an opt-in plaintiff in the above-captioned matter.
2. I submit this declaration based on personal knowledge unless indicated otherwise.
3. I was employed as a administrative assistant The 40/40 Club sports bar located at 6 West 25th Street within the last three years.
4. Attached as Exhibit A is one of my paystubs, which indicate that I was not paid one and one half times my regular rate for hours worked in excess of forty per workweek. (The paystubs are biweekly, and any reported time in excess of 80 hours

was overtime.) For whatever time in excess of forty that I was paid, it was at my regular rate of pay.

I affirm, under penalty of perjury, that the above and foregoing information is true and correct.

Dated: New York, New York
March 11, 2008

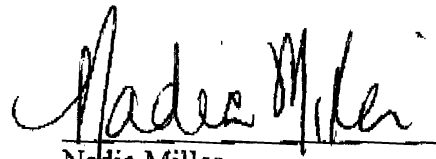

Nadia Miller

EXHIBIT A

FOLD AND REMOVE

YOUR BANKING

FOLD AND REMOVE

EARNINGS	HOURS	RATE	AMOUNT	YTD AMOUNT
REGULAR	99.00	15.000	1485.00	

TOTAL EARNINGS 1485.00 13560.00

EMPLOYER INFORMATION

40/40 CLUB
6 WEST 25TH STREET
NEW YORK, NY 10010

PAY PERIOD 12/11/06 TO 12/24/06
CHECK DATE 12/28/06 CHECK # 5511

FILING STATUS	TAX TYPE	AMOUNT	YTD AMOUNT
	SOC SEC	92.07	840.74
	MEDICARE	21.53	196.63
S 05	FEDERAL	98.13	606.60
S 05	NY	54.90	398.94
	DBL	1.20	14.40

TOTAL WITHHOLDINGS 267.83 2057.31

PERSONAL INFORMATION

NADIA MILLER
1632 CRESCENT DR
TARRYTOWN NY 10591

SS# XXX-XX-3035 EMPL# 000403 DEPT# 000600

ADJUSTMENTS	AMOUNT	YTD AMOUNT
REIMB		65.23 +
ADV/LOAN		100.00 -

rolls by Paychex, Inc.

0020 Y156 0037 000600

NET PAY 1217.17 11467.92